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Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

NORTHERN DIVISION

In re HVI CAT CANYON, INC., Debtor.	Case No. 9:19-bk-11573-MB Chapter 11 **SUPPLEMENTAL DECLARATION OF GEORGE E. SCHULMAN IN SUPPORT OF TRUSTEE'S NOTICE OF MOTION AND MOTION FOR AN ORDER TO SHOW CAUSE WHY GIT, INC. SHOULD NOT BE HELD IN CONTEMPT; MEMORANDUM OF POINTS AND AUTHORITIES, DECLARATION OF GEORGE E. SCHULMAN AND REQUEST FOR JUDICIAL NOTICE IN SUPPORT THEREOF** Date: February 11, 2021 Time: 10:00 a.m. Place: Courtroom 201 1415 State Street Santa Barbara, California 93101

I, George E. Schulman, declare as follows:

1. I am a member of the State Bar of California. I am the principal of a professional corporation which is one of the partners in Danning, Gill, Israel &

Krasnoff, LLP, counsel to Michael A. McConnell, formerly the Chapter 11 Trustee and now the Chapter 7 Trustee ("Trustee") in the above entitled bankruptcy case ("Bankruptcy Case"). I am one of the attorneys at Danning, Gill, Israel & Krasnoff, LLP, assigned to represent the Trustee. I have personal knowledge of the acts set forth in this declaration, and, if called as a witness, I could and would testify competently to these facts.

2. In January 2021, GIT, through its counsel, provided the Trustee's counsel's office with a thumb drive with a huge amount of data on it. Pursuant to the Court-approved stipulation (docket no. 1162 approved by docket no. 1164), the dat which remained to be produced were the e-mails of six individuals: Randeep Grewal, Alex G. Dimitrijevic, M. Ernesto Olivares, Susan Whelan, Maribel Aguilera, and Bill LaFluer.

3. I received a copy of the thumb drive on February 5, 2021. Due to COVID restrictions, I work remotely.

4. I immediately noticed that the drive did not contain any e-mails for Randeep Grewal or Bill LaFluer.

5. In a telephone conference around January 25, 2021, Mr. Faith told me that the thumb drive would be missing e-mils from Mr. LaFluer. He made no mention that the thumb drive would be missing e-mails from Mr. Grewal.

6. Mr. Faith told me in an e-mail and in the telephone conversation that the manner in which GIT recovered from the alleged ransomware attack was by restoring prior backups of its data. Accordingly, I have lodged an amended order to make clear that forensic review of GIT's backups is also required, in addition to the other relief requested.

7. On February 5, 2021, I wrote to Mr. Faith about the missing e-mail for Mr. Grewal and Mr. LaFluer. As of the date of signing this declaration, I have not received a response.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 9, 2021, at Los Angeles, California.

GEORGE E. SCHULMAN

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1901 Avenue of the Stars, Suite 450, Los Angeles, CA 90067-6006.

A true and correct copy of the foregoing document entitled (*specify*): SUPPLEMENTAL DECLARATION OF GEORGE E. SCHULMAN IN SUPPORT OF TRUSTEE'S NOTICE OF MOTION AND MOTION FOR AN ORDER TO SHOW CAUSE WHY GIT, INC. SHOULD NOT BE HELD IN CONTEMPT; MEMORANDUM OF POINTS AND AUTHORITIES, DECLARATION OF GEORGE E. SCHULMAN AND REQUEST FOR JUDICIAL NOTICE IN SUPPORT THEREOF will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On February 9, 2021 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL: On February 9, 2021 , I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by causing to be placed a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

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c/o Capitol Corporate Services, Inc.
36 S. 18th Avenue, Suite D
Brighton, CO 80601

Debtor
HVI Cat Canyon, Inc.
630 Fifth Avenue
Suite 2410
New York, NY 10111

☐ Service information continued on attached page.

3. SERVED BY OVERNIGHT MAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on February 9, 2021, I served the following persons and/or entities by overnight mail service (FedEx - Monday delivery)as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

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Atty for California Department Toxic Substances Control
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☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

February 9, 2021	Vivian Servin	*/s/ Vivian Servin*
Date	*Printed Name*	*Signature*

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